

EAST CALN, PA—On April 16, 2009, Congressmen Joe Sestak (PA-07) and Jim Gerlach (PA-06) unveiled new legislation to allow the public greater input and access to the Federal Energy Regulatory Commission (FERC). The announcement was made on the property of Louis Ottaviano, of East Caln, one of a group of homeowners who have eminent domain proceedings against them for the expansion of a gas pipeline. One bill sponsored by the Congressmen, H.R. 1921, would establish an Office of Public Advocate within the Department of Justice to provide services and guidance to citizens in dealing with concerns involving the Federal Energy Regulatory Commission. The other, H.R. 1922, would require the Federal Energy Regulatory Commission to hold at least one public hearing before issuance of a permit affecting public or private land use in a locality.

“Accountability and accessibility are the two crucial elements of good government,” said Congressman Sestak. “Unfortunately, in its current operation the Federal Energy Regulatory Commission comes up short in both aspects. The Commission is not transparent to the public and does not coordinate effectively with state and local governments. The bills we are proposing today will require adequate public notice by the Commission and will create an Office of Public Advocate to respond to the questions, concerns, and needs of the people.”

Office of Public Advocate Bill

Establishes an independent office within DOJ and creates a position of Director

Sets the single duty of receiving public comments on natural gas pipeline projects under review by FERC and forwarding those comments to FERC.

Represents the interests of members of the general public affected by regulatory matters before FERC.

Submit all such relevant and pertinent comments to FERC, together with its findings and recommendations, regarding the outcome, terms, and conditions of an application for approval.

Review and assess applicant compliance with FERC orders and seek full compliance of such orders through FERC, or a court competent jurisdiction, where the applicant fails to so comply and such noncompliance is harmful to the health, safety, and welfare of affected parties.

Within its sole discretion, undertake appeal of any FERC order where the order is harmful to the health, safety, or welfare of affected parties.

Modeled after the PA Office of Consumer Advocate or IRA Taxpayer Advocate duties.

Public Hearing Bill

Requires FERC to hold at least 1 public hearing before issuance of a permit affecting public or private land use in a locality.

Allows for an additional public hearing, if the government of a county or locality requests, to address an issue that was not addressed at an initial public hearing.

Born and raised in Delaware County, former 3-star Admiral Joe Sestak served in the Navy for 31 years and now serves as the Representative from the 7th District of Pennsylvania. He led a series of operational commands at sea, including Commander of an aircraft carrier battle group of 30 U.S. and allied ships with over 15,000 sailors and 100 aircraft that conducted operations in Afghanistan and Iraq. After 9/11, Joe was the first Director of "Deep Blue," the Navy's anti-terrorism unit that established strategic and operations policies for the "Global War on Terrorism." He served as President Clinton's Director for Defense Policy at the National Security Council in the White House, and holds a Ph.D. in Political Economy and Government from Harvard University. According to the office of the House Historian, Joe is the highest-ranking former military officer ever elected to the U.S. Congress.

###